

AGENDA
BOARD OF ADJUSTMENT
TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY
REGULAR AND CONFERENCE MEETING
MAY 8, 2014 7:30 pm

NOTE: Meeting is being held in conformance with all regulations of the SUNSHINELAW and proper notice has been given to the Courier; also, the Agenda has been posted in Town Hall, Board Office and supplied to the Township Clerk at least forty-eight hours prior to the meeting. The Agenda items will not necessarily be heard in the order listed and the meeting will not continue substantially past 10:30 PM.

Members: Mr. Bussiculo, Mr. Miller, Mr. Boyer, Mr. Smith, Mr. Siburn,
Mr. Sullivan, Mr. Henry, and Mr. Delia

Mr. Bernstein, Board Attorney

Roll Call:

Informal Review of New Application:

App.#16-14: Rosemary Sica & Jill Steidel, 106 Baker Avenue, Block 903, Lot 12 (R-15 Zone)

Proposed in-ground pool with a stamped concrete patio surround result in exceeding the maximum "other" and "total" lot coverage limits. As a result, relief is needed from Section 6.1.1B "Schedule of General Regulations." Nonconforming issues are lot depth; existing fence along southeast side property line is located off of the subject property, and existing shed location is 1.5 feet from the rear property line, where 10' is required. Also Variance Case No. 13-03 established a principal front-yard setback of 25', a rear-yard setback of 34' and building coverage of 16.3%. A new house was constructed as a result of the variance approval.

Applications for Review:

App.#14-14 Connell East LLC and Connell Corporate Center I, LLC, 50 Connell Drive, Block 4501, Lot 25 and 100 Connell Drive, Block 4301, Lot 1.02 (OR-B Zone)

In Board of Adjustment Case No. 18-11, Connell East LLC and Connell Corporate Center I, LLC (collectively, "Applicant") received preliminary and final site plan approval and a use variance for the installation of solar panels, solar canopies and associated facilities at the L'Oreal Building within Connell Corporate Park which is located at 50 Connell Drive on property designated as Lot 25, Block 4501 by way of a written Resolution adopted by the Board on October 13, 2011 ("Resolution"). A condition of the site plan approval was the maintenance of plantings in the islands under the solar canopies. The Applicant is now requesting that the conditions under the Resolution requiring the installation and maintenance of shrubs under the solar canopies be waived as attempts to grow shrubs under the solar canopies have been unsuccessful. (Applicant is not seeking to waive the requirements that trees be maintained around the Property.)

--CARRIED FROM MARCH 27, 2014, WITHOUT FURTHER NOTICE:

App.#4-14: Berkeley Heights Realty, Inc., 525 Springfield Ave., Bl. 611, L. 7 (HB-3 Zone)

Proposed canopy, kiosk on the pump island for service station use, addition to the approved pole sign, and three signs on the canopy structure. The applicant appeared before the Board in 2013 (App.#26-12: Ilya Shlakman) to obtain the necessary approvals. A Certificate of Prior Nonconforming Status of the gasoline service station and repair garage was granted by the Board of Adjustment.

Adoption of Resolutions:

App.#12-14: Michaela K. Quinlan, 86 Orion Road, Block 3401, Lot 16 (R-20 Zone)

Seeking to replace an existing, 112 square ft. shed (8' x 14' x 10' high) with a new 140 square ft. shed. The larger shed would be for storage of specific items. Relief is needed from Section 6.3.1B.4. of the Land Use Ordinance which limits sheds to 100 square ft. in size.

App. #13-14: Michael & Sylvia Deo, 63 Old Farm Road, Block 3002, Lot 15 (R-20 Zone)

Relief is needed from Article 6.1, Section 6.1.1B "Schedule of General Regulations" because the existing outdoor fireplace, raised patio and seating wall encroach into the accessory side yard setback (required: 12', existing: 7.3'). In addition, the applicants are requesting removal of Condition #5 of the Resolution of Approval for Application #11-09 which stated that the "area over the garage shall be limited to storage and not used as a living space." The homeowners had been before the Board in 2009 to apply for variances needed to construct additions to their single-family residence.

App.#15-14: Stephen Croneberger, 42 Hamilton Terrace, Block 2004, Lot 6 (R-15 Zone)

Proposed 3-car garage with loft area above and raised deck type area between the proposed garage and existing house. The lot is a corner lot with frontage on Hamilton Terrace, Burgmiller Avenue (an unimproved municipal 50' road right-of-way) and Wardle Avenue (unimproved). Relief is needed from Section 6.1.1B, "Schedule of General Regulations," because the garage will encroach into the front-yard setback on Burgmiller Avenue (required: 50'; existing: 70'; proposed: 34.25'). Nonconforming issues are existing principal front yard setback from Hamilton Terrace, existing shed location (located over the property line into Burgmiller Avenue) and existing shed size of 160 sq. ft. compared with 100 sq. ft. allowed.

Adoption of Minutes:

March 13, 2014

April 24, 2014

Adjournment:

Connie Valenti, Secretary